



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20035

October 21, 1997

Ms. Kathy Moreau
Secretary
St. Landry Parish Police Jury
P.O. Box 551
Opelousas, Louisiana 70571-0551

Dear Ms. Moreau:

This refers to your request that the Attorney General reconsider and withdraw the September 12, 1994, objection interposed under Section 3 of the Voting Rights Act, 42 U.S.C. 1973c, to the proposed polling place change for Ward 2, Precinct 4 for St. Landry Parish, Louisiana. We received your request on August 22, 1997; supplemental information was received on October 2 and 10, 1997.

On September 12, 1994, the Attorney General interposed an objection to the proposed polling place change for Ward 2, Precinct 4 (which is located entirely within the Town of Sunset) from its location at the Sunset Community Center to the Sunset Town Hall. In the letter notifying the city of that determination, we noted that 47 percent of Ward 2, Precinct 4 population is black and that the polling place change had been adopted without public hearing by the town or the parish. Our inquiries among black persons in Sunset following our receipt of the submission indicated a lack of awareness on their part about the proposed change and vehement opposition to the use of the Sunset Town Hall as a polling place location based largely on perceptions, apparently rooted in a past history of racial discrimination, that many black voters would not feel welcome in the town hall, and might be dissuaded from voting at all. We also noted the suggestion of many of these persons that the polling place be relocated to the public library (formerly a high school and prior polling place location for this precinct). The library, we understood, is located only a short distance away from the town hall and meets state standards. Finally, we noted that although the views of white voters in the precinct who did

not feel comfortable voting at the Sunset Community Center (which is located in a majority-black neighborhood) were considered in the decision-making process, the views of black voters who reside in the precinct were not sought. In light of all of these circumstances, we concluded that the parish had not sustained its burden under Section 5 of the Voting Rights Act of showing that a submitted change has neither a discriminatory purpose nor effect.

On August 11, 1997, the parish again proposed (without benefit of public hearing by the parish or the town) that the polling place location for Ward 2, Precinct 4 be moved from the Sunset Community Center to the Sunset Town Hall and submitted the change for review pursuant to Section 5 by letter dated August 18, 1997. No reference was made in this letter to our prior objection to the same change. Upon inquiry by our staff, parish officials indicated their awareness of the prior objection and, in a subsequent letter dated October 2, 1997, requested that the parish's submission be considered a request for reconsideration of the September 12, 1994, objection.

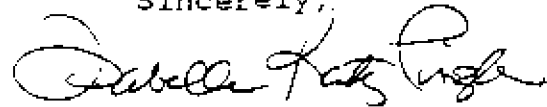
We have reconsidered our earlier determination on the polling place change for Ward 2, Precinct 4 based on the information you have advanced in support of your request, along with the other information in our files and comments received from other interested persons.

Neither your August 18, 1997 nor your October 2, 1997, letter include any additional relevant information or legal argument in support of your request that would impact upon our conclusion as to the purpose or effect of the submitted change. See the Procedures for the Administration of Section 5, 28 C.F.R. 51.45. Consequently, I remain unable to conclude that St. Landry Parish has carried its burden of showing that the submitted change has neither a discriminatory purpose nor a discriminatory effect. See Georgia v. United States, 411 U.S. 526 (1973); see also the Procedures for the Administration of Section 5 (28 C.F.R. 51.52). Therefore, on behalf of the Attorney General, I must decline to withdraw the objection to the polling place change for Ward 2, Precinct 4 in St. Landry Parish.

As we previously advised, you may seek a declaratory judgment from the United States District Court for the District of Columbia that the proposed change has neither the purpose nor will have the effect of denying or abridging the right to vote on

account of race, color, or membership in a language minority group. We remind you that until such a judgment is rendered by that court, the objection by the Attorney General remains in effect and the proposed change continues to be legally unenforceable. See Clark v. Roemer, 500 U.S. 646 (1991); 28 C.F.R. 51.10.

Sincerely,

A handwritten signature in black ink, appearing to read "Isabelle Katz Pinzler". The signature is fluid and cursive, with the first name "Isabelle" being the most prominent part.

Isabelle Katz Pinzler
Acting Assistant Attorney General
Civil Rights Division